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PROVISIONAL SUMMARY RECORD OF THE 3rd MEETING

Held at Headquarters, New York,
on Tuesday, 2 April 1996, at 10 a.m.

President: Mr. KOVANDA (Czech Republic)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 6: ECONOMIC AND ENVIRONMENTAL QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS:

(j) PUBLIC ADMINISTRATION AND DEVELOPMENT (A/50/847-E/1996/7, A/50/525-E/1995/122)

The PRESIDENT said that, in accordance with the provisions of General Assembly resolution 49/136, paragraphs 2, 4 and 7, the Economic and Social Council was considering the report of the twelfth meeting of the Group of Experts on Public Administration and Finance (A/50/525-E/1995/122) and the report of the Secretary-General on public administration and development (A/50/847-E/1996/7).

Mr. JIN Yongjian (Under-Secretary-General for Development Support and Management Services), introducing the report of the Secretary-General on public administration and development (A/50/847-E/1996/7), said that one of its central themes was that public administration was government in action, whose primary aim was development. The goal of the Organization's public administration programme was to help the Governments of developing countries and of countries in transition to manage their development plans, policies and programmes effectively by strengthening their public-sector capabilities.

Public administration was both the indispensable link between the major programmatic documents of the United Nations, such as the Agenda for Peace and the Agenda for Development, and the basic instrument of implementation for the plans of action adopted at major global United Nations conferences. A review of the Organization's successive mandates in the area of public administration and development revealed that the core themes of its efforts had always been to help Member States to generate and disseminate information and experiences; to customize the best and most appropriate systems and practices of public administration; and to undertake practical research on current issues.

It was important to pursue and develop those activities and to enhance the Organization's role as a clearing-house for information and services and its position as a global centre of excellence for public administration and

development. The Secretary-General made a number of recommendations in that regard in paragraphs 138 to 182 of his report, and suggested, in particular, that a consultative group on public administration and development should meet regularly to strengthen collaboration and coordination among the various United Nations programmes in that field.

Ms. BENKOUNGOU (Burkina Faso), Minister for Public Administration and Administrative Modernization of Burkina Faso and Chairman of the Group of Experts on Public Administration and Finance, introducing the report of the Group of Experts on its twelfth meeting (A/50/525-E/1995/122), said that, having considered the studies carried out by specialists, the Group had concluded that public administration helped to sustain economic growth, promote social development, facilitate infrastructure development and protect the environment. Public administration also promoted partnerships and played a role in managing development programmes and in establishing and maintaining the legal and regulatory framework.

Capacity-building was needed to enable public administration systems to perform their functions effectively. The Group made a number of recommendations to Governments in that regard in appendix I of its report, which emphasized policy analysis; user satisfaction; more precise definition of the respective responsibilities of the public and private sectors; monitoring of social programmes and assessment of their impact; reconstruction of post-conflict public administration systems; and development of interdisciplinary and multidisciplinary capabilities in support of development programmes.

In the second part of appendix I of its report, the Group made a number of specific recommendations to the United Nations, emphasizing that the Organization had an important role to play in various aspects of public administration, primarily as a centre of excellence and a clearing-house for the exchange of experiences. Convinced that public administration was an integral part of any development effort, and wishing to optimize the implementation of development programmes, the Group felt that there was a critical need for an appropriate international mechanism to provide direct linkages with the Governments of sovereign States. It therefore proposed that the Group of Experts should become the Commission on Public Administration and Development.

Mr. COLELLA (Italy), speaking as Observer for the European Union, currently presided over by Italy, said that he would comment only on certain

procedural points, since the European Union would be making a substantive statement on public administration and development at the resumed fiftieth session of the General Assembly. The report of the Group of Experts (A/50/525-E/1995/122) and the report of the Secretary-General (A/50/847-E/1996/7), taking into account the results of a series of major United Nations conferences, both recognized how important public administration was for a people-centred development, as already reaffirmed by the World Summit for Social Development in Copenhagen. The role of public administration needed to be reassessed in order to respond to the challenges of development such as the eradication of poverty, the promotion of social justice, the establishment of participatory democracy, the globalization of the economy and the protection of the environment. In addition, there should be an analysis of the progress already made by Governments in creating or maintaining an institutional and legal framework supportive of development. Particularly useful in that connection had been the seminars organized by the Secretariat on special themes such as the role of public administration in environmental protection or social development, with special reference to capacity-building, and also the post-conflict role of public administration. The European Union believed that the General Assembly should follow up on the various discussions by focusing on the following major themes: the identification of a set of principles applicable to public administration and development that took into account the diversity of the experience in the field; a better integration of current Secretariat activities into United Nations programmes; and a clarification of the role of the institutions and foundations working in the field.

Mr. STIBRAVI (International Chamber of Commerce) said that the International Chamber of Commerce (ICC) attached great importance to transparency in public administration as an essential element in creating a climate conducive to trade and investment. Accordingly, on 26 March 1996, the ICC had adopted revised rules of business conduct designed to combat extortion and bribery in international trade, which thousands of companies were expected to incorporate into their own guidelines for employees. The new rules were more stringent than the ICC code adopted in 1977. In addition to extortion and bribery in business, they covered extortion and bribery in judicial proceedings, in tax matters, in environmental and other regulatory cases and in legislative proceedings. The ICC, moreover, was recommending that Governments, especially

those of developing countries, should implement the recommendations issued in 1994 by the Organisation for Economic Cooperation and Development (OECD), stressing the urgency of taking action on the tax-deductibility of bribes. Scandals involving extortion and bribery, if allowed to continue, could undermine the most promising development of the post-cold-war era, the spread of democratic Governments and of market economies. Free trade depended upon fair competition.

The main provisions of the new rules were the following: no enterprise was allowed to offer a bribe directly or indirectly or to kick back any portion of a contract payment to employees of the other contracting party; agents should receive remuneration from enterprises only for legitimate services; all financial transactions must be properly recorded on the books and there must be no secret accounts; each enterprise should draw up its own code of conduct, consistent with the ICC rules; and corporate governing bodies should establish a system of sanctions against directors or employees shown to have made payments that infringed ICC rules. In its recommendations to Governments, the ICC advocated that all government contracts should include provisions ensuring compliance with codes against extortion and bribery. On the funding of political parties, payments by enterprises to political parties or individual politicians, where such practices were permitted by national legislation, should be publicly recorded.

In order to promote the new rules, the ICC would be setting up a standing committee of business executives, lawyers and academics to monitor the application of the new code, and its 64 national committees would be urged to mobilize support for them in local companies and business associations.

Mr. MANLEY (President, International Public Policy Institute) proposed on behalf of the Institute that an annual day should be established to honour public administrators for their dedication in seeing that policy goals were translated into policy achieved in the public interest.

Mr. AMAZIANE (Morocco) informed Member States that pursuant to the mandate conferred upon it by the Tangier Declaration, Morocco was currently preparing, with the help of a number of friendly countries from the various regional groups and interest groups, a draft resolution that would serve as a good basis for negotiation at the resumed fiftieth session of the General Assembly, to which it would be formally submitted. Morocco hoped that during

the resumed session thought would be given to the crucial subject of public administration and development and that a consensus would emerge on the main recommendations to be made with regard to the United Nations and its States Members.

The PRESIDENT suggested that the Council should decide to take note of the report of the Group of Experts on Public Administration and Finance on its 12th meeting (A/50/525-E/1995/122) and of the report of the Secretary-General on public administration and development (A/50/847-E/1996/7) and to transmit them to the General Assembly so that the latter could then review them at its resumed fiftieth session.

It was so decided.

The PRESIDENT said that the organizational session of the Economic and Social Council for 1996 was adjourned until 2 May 1996.

The meeting rose at 11 a.m.